

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND

FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

EDWARD KSIAZEK, *et al.*

2001 NOV -2 A 9:19

Plaintiffs

Civil Action No.: JFM 01-2959

v.

ROYAL INSURANCE COMPANY  
OF AMERICA, *et al.*

Defendants

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FILED  
U.S. DISTRICT COURT  
DISTRICT OF MARYLAND

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DISTRICT OF MARYLAND

DEPUTY

STIPULATION OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Plaintiffs, Edward John Ksiazek and Kimberly Ksiazek, and Defendants, Gulf Insurance Company, Royal Insurance Company of America and Reliance National Indemnity Company by their undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(ii) hereby stipulate to voluntarily dismiss *without prejudice* Plaintiffs' complaint for declaratory judgment against Defendants Royal Insurance Company of America, et al. Plaintiffs' complaint for declaratory judgment was originally filed in state court in the same case as their previously filed tort action against Defendant Builders Transport, Inc., ("Builders Transport") and was removed to this Court by the Defendants. Builders Transport filed for bankruptcy protection while Plaintiffs' tort claim was pending and before final judgment. It is expressly agreed and stipulated by the parties hereto that this notice of dismissal does not operate as an adjudication upon the merits of Plaintiffs' complaint for declaratory judgment nor does this notice of dismissal operate as a dismissal or as an adjudication on the merits of Plaintiffs' underlying state court action.

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